

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1 Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 800-A).

SECTION VII - CERTIFICATIONS

1 Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 78.6560?

☒ Yes ☐ No

2 Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit a full explanation.

Exhibit No.
N/A

3 If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Mid-Ohio Communications, Inc., Carl Fry, Authorized Representative

Telephone No. (include area code) (614) 228-2300

Person contacted: (check one box below)

☐ Owner

☒ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 306 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

EXHIBIT 6

Portions of ORA Site Amendment.

20309MF

MAUPIN TAYLOR ELLIS & ADAMS, P.C.

ATTORNEYS AT LAW

1130 CONNECTICUT AVENUE, N.W., SUITE 750

WASHINGTON, D.C. 20036-3904

TELEFAX (202) 457-8558

TELEPHONE (202) 429-8910

RALEIGH ADDRESS

3200 BEECHLEAF COURT, SUITE 500
RALEIGH, NORTH CAROLINA 27604-1064
TELEFAX (919) 981-4300
TELEPHONE (919) 981-4000

ROCK HILL OFFICE

448 LAKESHORE PARKWAY, SUITE 300
ROCK HILL, SOUTH CAROLINA 29730-4264
TELEFAX (803) 324-2093
TELEPHONE (803) 324-8118

RECEIVED

MAR - 9 1992

Federal Communications Commission
Office of the Secretary

DUPLICATE

March 9, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission

CLIENT Westerville
FILE Ohio Radio Apps

Ms. Donna R. Searcy
March 9, 1992
Page 2

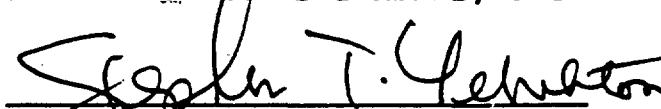
The new tower site location is within 320 km. of the Canadian border. Use of 6 kw. on the Channel 280A allocation was approved by Canada on March 5, 1991.

Please contact the undersigned in our Washington, D.C. office.

Respectfully submitted,

MAUPIN TAYLOR ELLIS & ADAMS, P.C.

By:


Stephen T. Yelverton
Attorneys for Ohio Radio
Associates, Inc.

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (PCC 880-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 78.3550?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit a full explanation.

Exhibit No.
N/A

If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted

Hugh and Deloris Buell

Telephone No. (include area code)

(614) 965-3826

Person contacted: (check one box below)

☒ Owner

☐ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission through amendments of any substantial and significant changes in information furnished.

EXHIBIT 7

Letter from Buells to ORA, March 4, 1992.

293

HUGH AND DELORIS BUELL
16910 East State Route 37
Sunbury, Ohio 43074

February __, 1992

Ohio Radio Associates
c/o Joseph D. Carney
1800 Society Building
Cleveland, Ohio 44114

Re: Lease of Certain Real Property

Dear Ohio Radio Associates:

This correspondence is in regard to your recent inquiry pertaining to the lease of certain real property, in an area comprising five (5) acres, more or less, the approximate center point of which would be approximately 600 meters northeast of the intersection of State Route 37 and County Line Road in Licking County, Ohio; North Latitude: 40° 11' 33" and West Longitude: 82° 45' 07". We represent that we are the owners of the property and have full authority to enter into a lease agreement. You have indicated that you have applied for the broadcast license of WBBY-FM, Westerville, Ohio, and this correspondence is to confirm that should the Federal Communications Commission award you the construction permit, that we have a present firm intention to lease to you this real property so that you can construct an approximate 300-400 foot tower for

294

the above terms and conditions. We wish you the best of luck in your application for licensure with the Federal Communications Commissions.

This agreement will be

Sincerely,

W. D. B. ... H. B. B.

CERTIFICATE OF SERVICE

I, PJ Thiessen, a secretary in the law firm of Smithwick & Belendiuk, P.C., certify that on this 9th day of June, 1993, copies of the foregoing were mailed via first class mail, postage pre-paid, to the following:

The Honorable Walter C. Miller (*)
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 213
Washington, DC 20554

James Shook, Esq. (*)
Hearing Branch
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, DC 20554

James A. Koerner, Esq.
Baraff, Koerner, Olender & Hochberg, P.C.
5335 Wisconsin Avenue, N.W.
Suite 300
Washington, DC 20015-2003
Counsel for ASF Broadcasting Corp.

Dan J. Alpert, Esq.
Law Office of Dan J. Alpert
1250 Connecticut Avenue, N.W.
Washington, DC 20036
Counsel for Shellee Davis

Dennis F. Begley, Esq.
Reddy, Begley & Martin
1001 22nd Street, N.W.
Suite 350
Washington, DC 20037
Counsel for Westerville Broadcasting Company, L.P.

Stephen T. Yelverton, Esq.
McNair & Sanford, P.A.
Madison Office Building
Suite 400
1155 Fifteenth Street, N.W.
Washington, DC 20005
Counsel for Ohio Radio Associates, Inc.

Eric S. Kravetz, Esq.
Brown, Nietert & Kaufman, Chartered
1920 N Street, N.W.
Suite 660
Washington, DC 20036
Counsel for Wilburn Industries, Inc.

(*): By Hand Delivery

PJ Thiessen
PJ Thiessen